

EXPRESS MAIL LABEL NO. \_\_\_\_\_

APR 12 1999

PTO/SB/01 (6-95)

OMB 0651-0032

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Approved for use through 9/30/98. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0010/PTO  
Rev. 6/95U.S. Department of Commerce  
Patent and Trademark Office**DECLARATION FOR  
UTILITY OR DESIGN  
PATENT APPLICATION**☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after Initial Filing

Attorney Docket Number

210655.90018

First Named Inventor

Timothy LaBadie

**COMPLETE IF KNOWN**

Application Number

Filing Date

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTERNET BASED PAYMENT SYSTEM

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

03/01/99

as United States Application Number or PCT International

Application Number

09/259,619

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
None			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign applications numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority sheet attached hereto.
60/076,665	March 3, 1998	

Burden Hour Statement: This form is estimated to take .4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. 4326332

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## DECLARATION

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I hereby claim benefit under Title 35, United States Code §120 of any United States application(s), or §365(C) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided in the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and all continuation and divisional applications based thereon, and to transact all business in the Patent and Trademark Office connected therewith:

☐ Firm Name  Customer Number or label   
OR  
☒ List attorney(s) and/or agent(s) name and registration number below

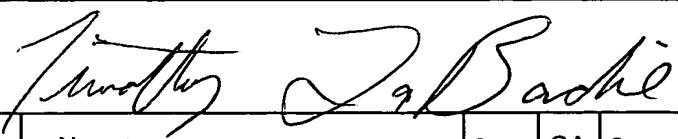
Name	Registration Number	Name	Registration Number
Neil E. Hamilton	19,869	Robert J. Sacco	35,667
Thomas W. Ehrmann	20,374	Jean C. Baker	35,433
Barry E. Sammons	25,608	David G. Ryser	36,407
J. Rodman Steele	25,931	Bennett J. Berson	37,094
Nicholas J. Seay	27,386	Michael A. Jaskolski	37,551
George E. Haas	27,642	Allen J. Moss	38,567
Harvey D. Fried	28,298	Sherry Whitney	39,422
Michael J. McGovern	28,326	Jill A. Fahrlander	42,518
Carl R. Schwartz	29,437	Scott D. Paul	42,984
Gregory A. Nelson	30,577	Daniel G. Radler	43,028
Keith M. Baxter	31,233	Steven J. Wietrzny	P44,402
John D. Franzini	31,356		
Joseph W. Bain	34,290		

☐ Additional attorney(s) and/or agents named on a supplemental priority sheet attached hereto

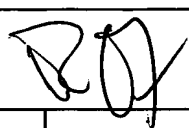

Please direct all correspondence to ☐ Customer Number or label  OR ☒ Fill in correspondence address below

Name	Keith M. Baxter		
Address	Quarles & Brady LLP		
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Fax	(414) 271-3552		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

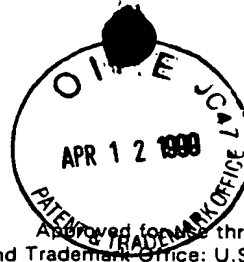
Name of Sole or First Inventor:				A petition has been filed for this unsigned inventor	
Given Name	LaBadie	Middle Initial		Family Name	Timothy
Inventor's Signature				Date	3-31-99
Residence:	Novato	State	CA	Country	US
Citizenship	US				
Post Office	100 Liebert Lane				
Post Office					
City	Novato	State	CA	Zip	94945
Country	US			Applicant Authority	
<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto					

Please type a plus sign (+) inside this box ☐

DECLARATION										ADDITIONAL INVENTOR(S) Supplemental Sheet						
Name of Additional Joint Inventor, if any:										A petition has been filed for this unsigned inventor						
Given Name	Ficarra				Middle Initial			Family Name	Robert			Suffix e.g. Jr.				
Inventor's Signature										Date	3-31-99					
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Name of Additional Joint Inventor, if any:										A petition has been filed for this unsigned inventor						
Given Name	Paul				Middle Initial	H.		Family Name	Green			Suffix e.g. Jr.				
Inventor's Signature										Date	3-31-99					
Residence:		Petaluma				State	CA		Country	US		Citizenship				
Post Office		25 Astoria Circle														
Post Office																
City	Petaluma				State	CA		Zip	94954		Country	US		Applicant Authority		
Name of Additional Joint Inventor, if any:										A petition has been filed for this unsigned inventor						
Given Name					Middle Initial			Family Name				Suffix e.g. Jr.				
Inventor's Signature										Date						
Residence:						State			Country			Citizenship				
Post Office																
Post Office																
City					State			Zip			Country			Applicant Authority		
Name of Additional Joint Inventor, if any:										A petition has been filed for this unsigned inventor						
Given Name					Middle Initial			Family Name				Suffix e.g. Jr.				
Inventor's Signature										Date						
Residence:						State			Country			Citizenship				
Post Office																
Post Office																
City					State			Zip			Country			Applicant Authority		

Additional inventors are being named on supplemental sheet(s) attached hereto

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c))--SMALL BUSINESS**

Docket Number (Optional)  
210655.90018

Applicant or Patentee: Timothy LaBadie  
Serial or Patent No.: 60/076,665  
Filed or Issued: March 3, 1998  
Title: INTERNET CHECK PAYMENT SYSTEM

I hereby declare that I am

- ☒ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: CrossCheck, Inc.  
ADDRESS OF SMALL BUSINESS CONCERN: 6119 State Farm Drive  
Rohnert Park CA 94928-2146

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with the title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate verified statements averring to their status as small entities and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each such person, concern or organization having rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.  
☐ Each such person, concern or organization is listed below.

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Timothy LaBadie  
TITLE OF PERSON OTHER THAN OWNER President  
ADDRESS OF PERSON SIGNING 6119 State Farm Drive, Rohnert Park CA 94928-2146

SIGNATURE Timothy LaBadie DATE 6/15/98